

# **EXHIBIT 1**

# U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE

					12-MONTH PERIOD ENDING SEPTEMBER 30								
ILLINOIS NORTHERN					2007	2006	2005	2004	2003	2002	Numerical Standing		
OVERALL CASELOAD STATISTICS	Filings*				8,422	8,093	9,056	10,584	11,126	11,135	U.S.	Circuit	
	Terminations				7,929	8,255	8,805	11,461	10,888	10,709			
	Pending				8,091	7,711	7,914	7,706	8,699	8,587			
	% Change in Total Filings	Over Last Year				4.1						27	2
		Over Earlier Years					-7.0	-20.4	-24.3	-24.4		81	6
Number of Judgeships					22	22	22	22	22	22			
Vacant Judgeship Months**					15.8	5.7	12.0	9.6	22.1	17.8			
ACTIONS PER JUDGESHIP	FILINGS	Total	382	367	412	481	505	506	62	4			
		Civil	346	330	369	437	461	459	36	3			
		Criminal Felony	24	26	34	32	38	39	93	7			
		Supervised Release Hearings**	12	11	9	12	6	8	77	6			
	Pending Cases		368	351	360	350	395	390	48	3			
	Weighted Filings**		462	443	485	512	526	525	39	3			
	Terminations		360	375	400	521	495	487	66	5			
	Trials Completed		11	11	13	12	12	14	86	6			
MEDIAN TIMES (months)	From Filing to Disposition	Criminal Felony	14.7	13.9	12.9	10.3	9.9	10.3	90	7			
		Civil**	6.2	6.5	6.9	5.9	5.5	5.5	7	2			
	From Filing to Trial** (Civil Only)		29.7	26.4	27.0	28.4	26.0	26.0	65	5			
OTHER	Civil Cases Over 3 Years Old**	Number	456	500	388	337	442	461					
		Percentage	6.5	7.4	5.6	5.0	5.6	6.0	65	6			
	Average Number of Felony Defendants Filed Per Case		1.7	1.8	1.9	1.9	1.7	1.7					
	Jurors	Avg. Present for Jury Selection	45.20	45.07	51.46	39.36	45.57	43.63					
		Percent Not Selected or Challenged	31.8	30.9	36.9	31.0	37.3	34.8					

2007 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	7620	118	150	701	53	55	1504	902	563	428	1614	23	1509
Criminal*	527	1	152	59	43	107	80	13	6	17	11	11	27

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "Explanation of Selected Terms."

# U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE

						12-MONTH PERIOD ENDING SEPTEMBER 30							
OKLAHOMA EASTERN						2007	2006	2005	2004	2003	2002	Numerical Standing	
OVERALL CASELOAD STATISTICS	Filings*					576	627	675	794	859	836	U.S.	Circuit
	Terminations					715	609	691	901	731	818		
	Pending					472	594	572	591	698	571		
	% Change in Total Filings	Over Last Year				-8.1						77	8
		Over Earlier Years					-14.7	-27.5	-33.0	-31.1	86	8	
Number of Judgeships						1.50	1.50	1.50	1.50	1.50	1.50		
Vacant Judgeship Months**						.0	.0	.0	.0	.2	.8		
ACTIONS PER JUDGESHIP	FILINGS	Total	384	418	449	529	573	557	60	4			
		Civil	325	366	381	425	499	494	42	2			
		Criminal Felony	47	43	61	91	65	54	73	7			
		Supervised Release Hearings**	12	9	7	13	9	9	77	8			
	Pending Cases		315	396	381	394	465	381	65	5			
	Weighted Filings**		377	411	437	508	531	539	62	5			
	Terminations		477	406	461	601	487	545	33	2			
	Trials Completed		19	31	29	26	27	23	51	6			
MEDIAN TIMES (months)	From Filing to Disposition	Criminal Felony	7.0	6.4	6.1	5.4	4.6	4.8	25	4			
		Civil**	9.4	8.0	8.3	8.4	7.9	7.8	51	5			
	From Filing to Trial** (Civil Only)		-	-	13.0	-	-	8.8	-	-			
OTHER	Civil Cases Over 3 Years Old**	Number	3	38	17	13	6	7					
		Percentage	.7	6.9	3.3	2.5	1.0	1.3	2	1			
	Average Number of Felony Defendants Filed Per Case		1.6	1.6	1.1	1.3	1.2	1.3					
	Jurors	Avg. Present for Jury Selection	37.74	35.18	58.73	31.81	48.75	28.90					
		Percent Not Selected or Challenged	43.7	35.0	60.1	36.6	50.0	38.1					

2007 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	487	105	33	120	9	17	8	40	42	3	84	3	23
Criminal*	71	-	17	1	12	9	4	9	2	9	1	-	7

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "Explanation of Selected Terms."

# **EXHIBIT 2**

**Table C-5.  
U.S. District Courts—Median Time Intervals From Filing to Disposition of Civil Cases  
Terminated, by District and Method of Disposition,  
During the 12-Month Period Ending September 30, 2007**

Circuit and District	Total Cases		No Court Action		Court Action			
	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Before Pretrial		During or After Pretrial	
					Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months
<b>TOTAL</b>	182,966	8.6	43,894	5.5	106,752	7.9	22,849	13.8
<b>DC</b>	1,897	9.0	637	7.5	1,201	9.2	31	23.5
<b>1ST</b>	5,052	9.0	2,018	5.8	2,051	8.8	816	16.6
ME	346	6.5	146	4.6	176	7.1	11	13.1
MA	2,718	8.4	1,360	6.1	918	8.3	343	18.3
NH	381	8.3	90	2.7	118	5.0	165	13.7
RI	496	8.2	194	6.3	192	7.9	99	11.1
PR	1,111	12.2	228	6.7	647	10.9	198	22.0
<b>2ND</b>	19,231	10.5	5,177	7.1	10,910	10.8	2,845	14.6
CT	2,032	10.5	1,239	7.6	648	14.8	84	23.1
NY,N	1,113	12.6	236	6.1	525	11.0	333	18.3
NY,E	5,124	10.8	1,030	7.3	2,891	9.3	1,121	14.4
NY,S	9,388	9.8	2,313	7.0	5,814	10.9	1,144	12.3
NY,W	1,308	14.0	321	8.8	817	14.0	157	22.6
VT	266	8.0	38	3.3	215	8.7	6	-
<b>3RD</b>	18,846	7.1	3,440	4.4	11,954	5.8	3,166	14.1
DE	609	12.5	69	4.1	488	12.5	23	30.1
NJ	5,442	7.6	1,932	5.4	2,028	5.4	1,414	14.7
PA,E	9,099	5.7	519	2.3	6,917	3.8	1,555	12.4
PA,M	1,394	7.6	412	4.9	875	7.7	67	20.4
PA,W	2,002	7.4	455	4.1	1,472	8.4	35	24.2
VI	300	20.3	53	15.4	174	18.4	72	30.3
<b>4TH</b>	11,975	7.4	3,212	5.5	7,433	7.8	1,142	9.0
MD	2,638	6.3	1,023	6.1	1,286	6.2	284	7.6
NC,E	919	10.3	407	8.1	496	11.4	9	-
NC,M	778	9.3	263	7.9	409	10.3	102	10.5
NC,W	980	7.5	321	10.2	535	3.6	109	17.6
SC	2,635	8.0	400	2.5	2,047	9.0	144	11.4
VA,E	2,062	4.8	425	3.5	1,163	4.5	440	7.3
VA,W	706	8.6	172	7.0	489	9.0	25	9.9
WV,N	395	12.1	138	10.4	238	12.6	12	18.2
WV,S	862	10.3	63	2.3	770	10.8	17	17.8
<b>TOTAL</b>	182,966	8.6	43,894	5.5	106,752	7.9	22,849	13.8
<b>DC</b>	1,897	9.0	637	7.5	1,201	9.2	31	23.5
<b>1ST</b>	5,052	9.0	2,018	5.8	2,051	8.8	816	16.6
ME	346	6.5	146	4.6	176	7.1	11	13.1
MA	2,718	8.4	1,360	6.1	918	8.3	343	18.3
NH	381	8.3	90	2.7	118	5.0	165	13.7
RI	496	8.2	194	6.3	192	7.9	99	11.1
PR	1,111	12.2	228	6.7	647	10.9	198	22.0
<b>2ND</b>	19,231	10.5	5,177	7.1	10,910	10.8	2,845	14.6
CT	2,032	10.5	1,239	7.6	648	14.8	84	23.1
NY,N	1,113	12.6	236	6.1	525	11.0	333	18.3
NY,E	5,124	10.8	1,030	7.3	2,891	9.3	1,121	14.4
NY,S	9,388	9.8	2,313	7.0	5,814	10.9	1,144	12.3
NY,W	1,308	14.0	321	8.8	817	14.0	157	22.6
VT	266	8.0	38	3.3	215	8.7	6	-
<b>3RD</b>	18,846	7.1	3,440	4.4	11,954	5.8	3,166	14.1
DE	609	12.5	69	4.1	488	12.5	23	30.1
NJ	5,442	7.6	1,932	5.4	2,028	5.4	1,414	14.7
PA,E	9,099	5.7	519	2.3	6,917	3.8	1,555	12.4
PA,M	1,394	7.6	412	4.9	875	7.7	67	20.4
PA,W	2,002	7.4	455	4.1	1,472	8.4	35	24.2
VI	300	20.3	53	15.4	174	18.4	72	30.3
<b>4TH</b>	11,975	7.4	3,212	5.5	7,433	7.8	1,142	9.0
MD	2,638	6.3	1,023	6.1	1,286	6.2	284	7.6
NC,E	919	10.3	407	8.1	496	11.4	9	-
NC,M	778	9.3	263	7.9	409	10.3	102	10.5
NC,W	980	7.5	321	10.2	535	3.6	109	17.6
SC	2,635	8.0	400	2.5	2,047	9.0	144	11.4
VA,E	2,062	4.8	425	3.5	1,163	4.5	440	7.3
VA,W	706	8.6	172	7.0	489	9.0	25	9.9
WV,N	395	12.1	138	10.4	238	12.6	12	18.2
WV,S	862	10.3	63	2.3	770	10.8	17	17.8

Table C-5. (September 30, 2007—Continued)

Circuit and District	Total Cases			No Court Action			Court Action					
	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Before Pretrial		During or After Pretrial		Median Time Interval in Months	Number of Cases	Trial	
					Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months			Number of Cases	Median Time Interval in Months
<b>5TH</b>	<b>28,070</b>	<b>11.0</b>	<b>4,680</b>	<b>6.1</b>	<b>13,494</b>	<b>7.3</b>	<b>3,150</b>	<b>11.2</b>	<b>6,746</b>	<b>127.6</b>		
LA,E	5,647	7.9	172	3.4	3,364	5.6	2,050	11.3	71	18.1		
LA,M	7,037	127.6	359	6.0	306	10.4	30	24.7	6,342	127.6		
LA,W	1,567	9.9	494	5.9	995	10.9	33	25.5	45	29.0		
MS,N	681	12.4	128	6.9	414	11.3	113	16.5	26	23.4		
MS,S	2,355	10.8	1,450	9.7	814	11.3	49	18.9	42	20.3		
TX,N	2,799	6.8	94	7.8	2,658	6.6	5	-	42	19.2		
TX,E	1,630	9.0	280	5.0	1,244	9.1	64	12.6	42	19.2		
TX,S	4,054	6.6	1,012	3.7	2,213	6.5	749	9.7	80	18.4		
TX,W	2,300	7.5	691	5.9	1,496	7.7	57	13.0	56	16.6		
<b>6TH</b>	<b>16,993</b>	<b>9.6</b>	<b>3,932</b>	<b>4.8</b>	<b>9,385</b>	<b>9.8</b>	<b>3,385</b>	<b>13.3</b>	<b>291</b>	<b>24.4</b>		
KY,E	1,380	9.4	148	6.2	1,200	9.4	15	20.3	17	19.2		
KY,W	1,078	9.6	301	8.2	675	9.4	87	19.1	15	22.5		
MI,E	3,656	8.3	847	3.8	1,278	6.2	1,456	13.1	75	24.6		
MI,W	928	7.2	138	2.9	761	8.0	15	18.9	14	27.9		
OH,N	4,772	10.0	963	3.8	2,913	15.0	855	9.9	41	16.0		
OH,S	2,250	10.6	936	6.4	789	11.0	490	14.6	35	24.3		
TN,E	1,015	12.4	169	6.6	391	9.0	419	16.1	36	25.6		
TN,M	986	9.1	83	3.5	864	9.5	13	21.7	26	27.0		
TN,W	928	11.9	347	10.2	514	11.4	35	27.2	32	29.8		
<b>7TH</b>	<b>12,654</b>	<b>7.5</b>	<b>3,753</b>	<b>5.1</b>	<b>7,083</b>	<b>7.6</b>	<b>1,617</b>	<b>11.7</b>	<b>201</b>	<b>25.5</b>		
IL,N	6,474	6.2	2,338	4.8	3,463	6.0	582	12.7	91	29.0		
IL,C	663	9.1	258	7.7	376	9.4	10	22.1	19	23.0		
IL,S	884	8.5	218	5.2	621	8.2	20	18.3	25	25.5		
IN,N	1,203	10.6	278	6.8	526	10.6	380	13.4	19	22.6		
IN,S	1,872	9.9	451	5.8	1,092	9.7	311	12.8	18	28.1		
WI,E	1,051	8.2	168	3.5	789	8.9	79	14.6	15	30.7		
WI,W	507	4.6	42	1.4	216	3.1	235	5.9	14	8.3		
<b>8TH</b>	<b>11,976</b>	<b>10.5</b>	<b>3,271</b>	<b>5.2</b>	<b>5,825</b>	<b>9.4</b>	<b>2,660</b>	<b>32.9</b>	<b>220</b>	<b>21.6</b>		
AR,E	1,171	12.7	227	10.3	885	12.7	4	-	55	19.9		
AR,W	587	10.3	16	5.3	553	10.2	3	-	15	13.4		
IA,N	447	9.0	50	4.4	379	9.0	5	-	13	20.9		
IA,S	570	10.3	104	5.6	293	8.3	165	15.4	8	-		
MN	4,614	13.7	1,269	2.6	897	7.3	2,414	34.4	34	25.8		
MO,E	1,814	7.4	737	6.0	1,038	8.0	7	-	32	22.2		
MO,W	1,475	8.5	707	7.8	741	8.9	10	24.5	17	21.9		
NE	855	11.3	21	1.7	770	10.4	35	17.2	29	19.9		
ND	175	10.6	60	8.2	106	10.9	3	-	6	-		
SD	268	10.5	80	9.4	163	9.9	14	16.8	11	27.3		

Table C-5. (September 30, 2007—Continued)

Circuit and District	Total Cases			No Court Action			Court Action					
	Number of Cases	Median Time Interval in Months		Number of Cases	Median Time Interval in Months		Before Pretrial		During or After Pretrial		Trial	
							Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months
<b>9TH</b>	<b>27,383</b>	<b>7.8</b>		<b>8,961</b>	<b>6.0</b>		<b>16,283</b>	<b>8.1</b>	<b>1,622</b>	<b>12.8</b>	<b>517</b>	<b>23.1</b>
AK	290	9.1		78	6.0		207	10.0	-	-	5	-
AZ	2,031	9.9		758	8.3		1,188	10.3	32	25.9	53	31.2
CAN	4,205	6.7		1,382	3.8		1,652	5.5	1,116	11.9	55	23.3
CA,E	2,118	9.3		872	7.1		1,180	10.5	28	19.1	38	32.4
CA,C	8,560	6.8		2,730	5.3		5,566	7.3	87	17.1	177	18.4
CA,S	2,033	5.9		389	4.6		1,490	6.3	120	7.4	34	24.6
HI	637	10.3		366	8.4		217	10.5	39	18.7	15	19.7
ID	401	11.5		27	4.0		331	10.7	27	17.8	16	26.6
MT	511	9.5		211	8.0		233	9.2	56	14.1	11	18.0
NV	1,618	9.6		658	9.0		880	9.6	57	10.9	23	35.8
OR	1,840	10.1		684	8.6		1,106	10.7	9	-	41	21.6
WA,E	495	8.1		149	5.4		306	7.9	28	13.6	12	24.2
WA,W	2,583	8.1		628	5.3		1,903	8.5	17	15.3	35	19.0
GUAM	24	7.0		14	5.2		6	-	4	-	-	-
NMI	37	10.3		15	8.0		18	11.1	2	-	2	-
<b>10TH</b>	<b>7,821</b>	<b>8.6</b>		<b>1,384</b>	<b>5.1</b>		<b>5,003</b>	<b>8.0</b>	<b>1,249</b>	<b>12.5</b>	<b>185</b>	<b>23.3</b>
CO	2,030	6.9		59	2.7		1,812	6.5	112	17.5	47	28.5
KS	1,127	8.6		321	6.5		665	8.1	109	17.5	32	23.4
NM	1,028	9.3		171	3.2		397	8.8	434	11.9	26	21.0
OK,N	686	10.4		74	3.3		581	10.9	19	17.9	12	19.5
OK,E	480	9.4		342	11.1		114	7.1	12	11.2	12	12.0
OK,W	1,154	8.0		309	3.5		422	6.7	407	11.6	16	16.8
UT	1,028	9.5		66	2.3		898	9.2	35	19.2	29	29.2
WY	288	12.4		42	7.3		114	82.7	121	10.3	11	15.4
<b>11TH</b>	<b>21,068</b>	<b>6.7</b>		<b>3,429</b>	<b>4.4</b>		<b>16,130</b>	<b>6.6</b>	<b>1,166</b>	<b>13.6</b>	<b>343</b>	<b>19.9</b>
AL,N	2,869	5.7		496	7.8		2,313	4.4	20	20.3	40	24.3
AL,M	791	10.0		234	7.0		462	9.9	74	16.3	21	15.8
AL,S	662	7.3		124	5.1		490	7.2	32	16.3	16	13.7
FL,N	896	7.5		244	6.1		612	8.1	18	13.6	22	21.3
FL,M	5,644	6.8		456	5.7		4,999	6.8	103	17.4	86	21.1
FL,S	6,051	5.0		1,138	3.0		4,667	5.3	158	12.2	88	17.1
GA,N	2,881	7.7		544	3.4		1,572	7.1	714	12.1	51	26.8
GA,M	634	11.3		130	7.7		495	12.6	4	-	5	-
GA,S	640	10.1		63	5.8		520	9.6	43	22.0	14	22.3

NOTE: MEDIAN TIME INTERVALS NOT COMPUTED WHEN FEWER THAN 10 CASES REPORTED. THIS TABLE EXCLUDES LAND CONDEMNATIONS, PRISONER PETITIONS, DEPORTATION PETITIONS, RECOVERY OF OVERPAYMENTS, AND ENFORCEMENT OF JUDGMENTS. FOR FISCAL YEARS PRIOR TO 2001, THIS TABLE INCLUDED DATA ON RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS.

# **EXHIBIT 3**



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**KEMPER VALVE & FITTINGS CORP.**

**Plaintiff,**

v.

**BUDDY WOOD, KENNETH KLINGBAIL,  
FLOW VALVE, LLC,**

### Defendants.

**Case No. 08 C 513**

**Honorable Judge Guzman**  
**Magistrate Judge Nolan**

## DECLARATION OF MICHAEL WALSCHOT

State of Illinois

County of Lake

**Michael Walschot, under penalty of perjury, deposes and says:**

1. I am over eighteen years of age and am competent to testify as to the matters herein set forth. I make this declaration on the basis of my personal knowledge, to my best knowledge and belief.
2. I am the Controller for Kemper Valve & Fittings Corp. ("Kemper").
3. Kemper has its global headquarters in Island Lake, Illinois.
4. All of Kemper's original and confidential and proprietary engineering designs, drawings, specifications, standards, proprietary new product concepts, formulas, business records, and financial records are located and stored in Illinois. ("Kemper's Proprietary Information".) Access to Kemper's Proprietary Information is restricted to Kemper's key executives and limited key support staff.
5. Buddy Wood was Kemper's National Sales Manager, in addition to his duties as General Manager for Kemper's Sulphur, Oklahoma facilities. In that capacity, he was responsible for Kemper's Flow control line of products on a nationwide basis. Buddy Wood, as a key executive for Kemper had access to Kemper's Proprietary Information that was maintained in Illinois.

6. Wood came to Kemper's Illinois headquarters during his employment for business meetings, training and in his capacity as a National Sales Manager.
7. Kenneth Klingbail was Kemper's Engineer and then Engineering Manager during his employment with Kemper. His office was based solely at Kemper's headquarters in Illinois. Klingbail was responsible for overseeing and safeguarding Kemper's Proprietary Information. Klingbail's Confidentiality and Non-Compete Agreement was fully executed in Illinois.
8. As Kemper's Controller, I am responsible for overseeing and maintaining Kemper's internal finances and payroll records. In 2003, Wood was paid \$110,899 in total compensation. In 2004, Wood was paid \$129,176 in total compensation. In 2005, Wood was paid \$421,936 in total compensation. In 2006, Wood was paid \$674,132 in total compensation. Although Wood worked only one month at Kemper in 2007, he was paid \$63,200 in total compensation in 2007. In 2003, Klingbail was paid \$99,421 in total compensation. In 2004, Klingbail was paid \$103,693 in total compensation. In 2005, Klingbail was paid \$113,875 in total compensation. In 2006, Klingbail was paid \$169,343 in total compensation. In 2007, Klingbail was paid \$73,312 in total compensation working half the year.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 8, 2008

  
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Michael Walschot